

THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
WILKES-BARRE DIVISION

IN RE:

: CASE NO. 5-22-01258

John R. Waznak

: CHAPTER 13

OBJECTION TO CERTIFICATION OF DEFAULT

NOW COMES, John R. Waznak, the above Debtor, by and through their counsel, Tullio DeLuca, Esq., and files this Objection to Certification of Default and states the following:

1. On September 19, 2023, a Motion to Dismiss due to material default was filed.
2. On December 08, 2023, Jack N. Zaharopoulos, Esq. filed a Certificate of Default stating that the Debtor has failed to cure the arrears.
3. Debtor fell behind on payments to the mortgage company. Debtor is waiting for a response from the mortgage company whether they will allow the arrears to be placed in an amended Plan. Debtor will be filing an amended Plan with the Court shortly
4. The Debtor requests that a hearing be scheduled on the Objection to the Certificate of Default.

WHEREFORE, the Debtor respectfully requests that this Honorable Court sustain the Objection to the Certification of Default and deny the dismissal of the Chapter 13 Case.

Respectfully submitted,

Date: December 11, 2023

/s/Tullio DeLuca
Tullio DeLuca, Esquire
PA ID #59887
Counsel for Debtor
381 N. 9th Avenue
Scranton, Pa 18504

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 11, 2023, he caused a true and correct copy of Debtor's Objection to Certification of Default to be served Via electronic filing on the following CM/ECF participants:

Jack N. Zaharopoulos, Esq. at info@pamd13trustee.com_

Date of Mailing: December 11, 2023 /s/Tullio DeLuca
Tullio DeLuca, Esquire